

In The Drawings:

Please substitute the attached amended drawing of Fig. 2 for the pending drawing of Fig. 2. The amended portion is that “locked?” is replaced by “To be locked?” at S202.

REMARKS

Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Present Status of the Application

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hale et al (U.S. Patent 5355414, hereinafter "Hale"), in view of Lin et al (US Patent application 20030095044; hereinafter "Lin").

Discussion Regarding Rejections under 35 U.S.C. 103(a)

Applicant respectfully traverses the rejection of claims 1-145 under 103(a) as being unpatentable over Hale et al. (U.S. Patent 5355414, hereinafter "Hale") in view of Lin et al. (US Patent application 20030095044, hereinafter "Lin") because a prima facie case of obviousness has not been established by the Office Action.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

"See M.P.E.P. 2143, Latest Revision August 2006".

Applicant submits that the present invention as set forth in claims 1-14 is neither taught, disclosed, nor suggested by Hale, Lin, or any of the other cited references, taken alone or in combination, and thus should be allowed.

With respect to claim 1, as previously presented, recites:

"A portable computer equipped with an embedded controller (EC), the EC being equipped with a security mechanism operable with a method comprising steps of:

providing at least one key that provides a key signal to allow the EC to learn whether the portable computer is to be locked;

...

(Emphasis added)

Applicant submits that neither Hale, nor Lin, or any of the other cited references, has taught, disclosed, or suggested a step of "providing a key that provides a key signal to allow the EC to learn whether the portable computer is to be locked.

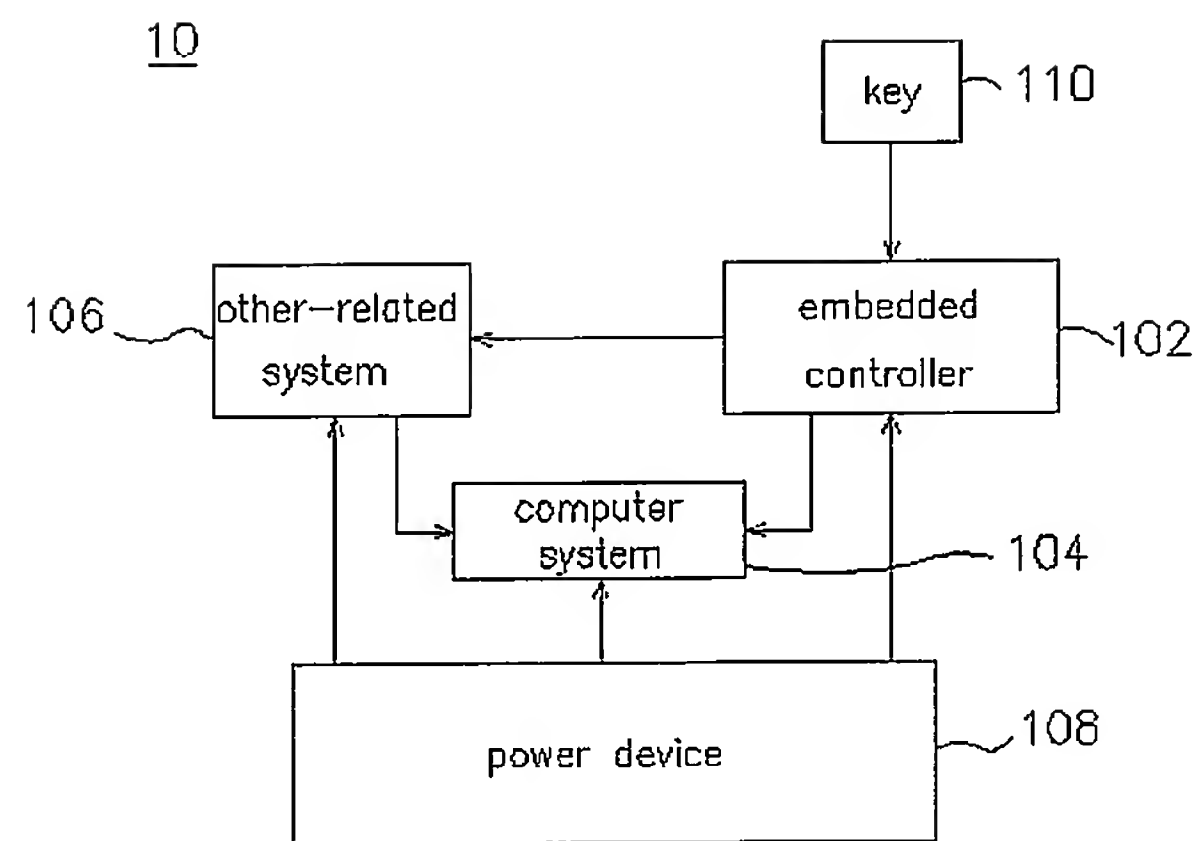


FIG. 1

As shown in Fig. 1, the present invention provides a key 110 that provides a key signal to allow the EC 102 to learn whether the computer is to be locked. This key is required by the claims such as presented in claim 1, a step of “providing a key that provides a key signal to allow the EC to learn whether the portable computer is to be locked”.

However, in the Abstract, Hale teaches: “The keyboard controller activates security after a preset time period during which the mouse and keyboard remain inactive”. This teaches that the security of Hale is passively activated by determining an idling time of the inputting device (keyboard and mouse), rather than by actively providing the key 110 as taught by the present invention, which provides a key signal to allow the EC to learn whether the portable computer is to be locked.

Further, Hale teaches: “during operation of the security system, the user can activate the security measures with a predetermined keystroke sequence. In addition, the keyboard controller monitors the activity of the keyboard and a mouse, if these devices are enabled, and activates the security measures after a preset interval during which the keyboard and

the mouse (if both are enabled), the keyboard (if only the keyboard is enabled), or the mouse (if only the mouse is enabled), remain inactive”, and thus “if the user walks away from the computer, the security system will automatically activate the security measures after a preset interval of inactivity” (col. 2, lines 9-20).

In view of above, the security measures are enabled due to inactivity of the keyboard and the mouse, and none of the keys of Hale has been taught to provide a key signal which allows the keyboard controller (interpreted by the Examiner as reading on the EC) to learn whether the computer is to be locked. On the contrary, the security system will automatically activate the security measures after a preset interval of inactivity.

As such, this step of “providing a key that provides a key signal to allow the EC to learn whether the portable computer is to be locked” is neither taught, disclosed, nor suggested by Hale, Lin, or any of the other cited references, taken alone or in combination.

Applicant submits that, as disclosed above, Hale and Lin fail to teach or suggest each and every element of claims 1. Therefore, independent claim 1 is patentable over Hale and Lin. For at the least the same reasons, their dependent claims 2-12 and 15 are also patentable.

Claims 13 and 14 recites the same limitation as discussed above, and thus should also be allowable.

Discussion Regarding New Matter

Applicant submits that the security mechanism is turned on to lock the portable computer when the key is pressed down according to the specification as a whole in the application. Accordingly, “is locked” actually means “is to be locked” in the application.

Additionally, this application has claimed the foreign priority benefits of the corresponding Taiwanese application serial No. 92118831, filed on July 10, 2003, the Taiwanese application serial No. 92118831 also show the meaning of "is to be locked". The modification (i.e. modifying "is locked" as "is to be locked") is order to correct the grammar errors which are occurred during the translation. Furthermore, the skill in the art can obviously know that "a key" is not only means "one key" and two or more than two keys can also be used for providing the key signals which indicate whether the portable computer is to be locked in the applicant. Therefore, applicant submits that there is no a new matter in the amendment.

CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims are in proper condition for allowance, and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,

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